

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF VIRGINIA
ALEXANDRIA DIVISION**

AMAZON.COM, INC. and AMAZON
DATA SERVICES, INC.,

Plaintiffs,

v.

WDC HOLDINGS LLC dba NORTHSTAR
COMMERCIAL PARTNERS; BRIAN
WATSON; STERLING NCP FF, LLC;
MANASSAS NCP FF, LLC; NSIPI
ADMINISTRATIVE MANAGER; NOVA
WPC LLC; WHITE PEAKS CAPITAL LLC;
VILLANOVA TRUST; CARLETON
NELSON; CASEY KIRSCHNER;
ALLCORE DEVELOPMENT LLC;
FINBRIT HOLDINGS LLC; CHESHIRE
VENTURES LLC; JOHN DOES 1-20,

Defendants.

CASE NO. 1:20-CV-484-LO-TCB

**DECLARATION OF LORA E. MACDONALD
IN SUPPORT OF PLAINTIFFS' OPPOSITION TO MOTION OF DEFENDANTS
CARLETON NELSON AND CASEY KIRSCHNER TO TRANSFER VENUE**

I, Lora E. MacDonald, hereby declare, under penalty of perjury, as follows:

1. I am over the age of 18 years. I have personal knowledge of the facts set forth below, and if called upon to do so, I could and would competently testify thereto.

2. I am an attorney licensed to practice law in the State of Maryland and the District of Columbia. I am an attorney at the law firm of Gibson, Dunn & Crutcher, LLP ("Gibson Dunn"), and counsel for Amazon.com, Inc. and Amazon Data Services, Inc. (collectively "Plaintiffs" or "Amazon"). I make this declaration in support of Plaintiffs'

Opposition to Motion of Defendants Carleton Nelson and Casey Kirschner to Transfer Venue. If called as a witness, I could and would testify to the same as stated herein.

3. Attached hereto as **Exhibit 1** is a true and correct copy of Amazon's New Employee Mandatory Certification Form [REDACTED]. This document has been designated Confidential and so has been filed under seal pursuant to the Protective Order.

4. Attached hereto as **Exhibit 2** is a true and correct copy of Amazon's New Employee Mandatory Certification Form [REDACTED]. This document has been designated Confidential and so has been filed under seal pursuant to the Protective Order.

5. Attached hereto as **Exhibit 3** is a true and correct copy of Lease #7, executed between Amazon and Northstar-affiliated landlord Manassas NCP, LLC on or about November 1, 2018. This document has been designated Highly Confidential and so has been filed under seal pursuant to the Protective Order.

6. Attached hereto as **Exhibit 4** is a true and correct copy of Lease #8, executed between Amazon and Northstar-affiliated landlord Manassas NCP, LLC on or about November 1, 2018. This document has been designated Highly Confidential and so has been filed under seal pursuant to the Protective Order.

7. Attached hereto as **Exhibit 5** is a true and correct copy of Lease #1, executed between Amazon and Northstar-affiliated landlord Dulles NCP, LLC on or about February 27, 2018. This document has been designated Highly Confidential and so has been filed under seal pursuant to the Protective Order.

8. Attached hereto as **Exhibit 6** is a true and correct copy of Lease #2, executed between Amazon and Northstar-affiliated landlord Dulles NCP, LLC on or about February 27, 2018. This document has been designated Highly Confidential and so has been filed under seal pursuant to the Protective Order.

9. Attached hereto as **Exhibit 7** is a true and correct copy of Lease #3, executed between Amazon and Northstar-affiliated landlord Quail Ridge NCP, LLC on or about April 6, 2018. This document has been designated Highly Confidential and so has been filed under seal pursuant to the Protective Order.

10. Attached hereto as **Exhibit 8** is a true and correct copy of Lease #4, executed between Amazon and Northstar-affiliated landlord Quail Ridge NCP, LLC on or about April 6, 2018. This document has been designated Highly Confidential and so has been filed under seal pursuant to the Protective Order.

11. Attached hereto as **Exhibit 9** is a true and correct copy of Lease #5, executed between Amazon and Northstar-affiliated landlord Quail Ridge NCP, LLC on or about April 6, 2018. This document has been designated Highly Confidential and so has been filed under seal pursuant to the Protective Order.

12. Attached hereto as **Exhibit 10** is a true and correct copy of Lease #6, executed between Amazon and Northstar-affiliated landlord Quail Ridge NCP, LLC on or about April 6, 2018. This document has been designated Highly Confidential and so has been filed under seal pursuant to the Protective Order.

13. Attached hereto as **Exhibit 11** is a true and correct copy of an Assignment and Assumption Agreement, executed between Amazon and Blueridge Group, LLC on or

about December 23, 2019. This document has been designated Highly Confidential and so has been filed under seal pursuant to the Protective Order.

14. Attached hereto as **Exhibit 12** is a true and correct digital copy of a recorded discussion between Carleton Nelson and former Northstar employee Kyle Ramstetter that occurred, on information and belief, on July 10, 2019 at the Denver International Airport.

15. Attached hereto as **Exhibit 13** is a true and correct certified transcript of the recorded discussion between Carleton Nelson and former Northstar employee Kyle Ramstetter attached hereto as **Exhibit 12**. The certified transcript was prepared by TransPerfect Legal Solutions.

16. Attached hereto as **Exhibit 14** is a true and correct digital copy of a recorded discussion between Brian Watson and former Northstar employee Kyle Ramstetter that occurred, on information and belief, on May 31, 2019 at Northstar's office, located at 1999 Broadway, Suite 3500, Denver, CO 80202.

17. Attached hereto as **Exhibit 15** is a true and correct certified transcript of the recorded discussion between Brian Watson and former Northstar employee Kyle Ramstetter attached hereto as **Exhibit 14**. The certified transcript was prepared by TransPerfect Legal Solutions.

18. Attached hereto as **Exhibit 16** is a true and correct copy of an export of WhatsApp chats between Carleton Nelson and former Northstar employee Kyle Ramstetter that were sent and received between May 11, 2018 and July 2, 2019.

19. Attached hereto as **Exhibit 17** is a true and correct copy of an export of WhatsApp chats between an individual using the telephone number 612-865-9030 and former Northstar employee Kyle Ramstetter that were sent and received between May 10,

2018 and September 29, 2019. The Motion for Leave to Withdraw as Counsel for Defendant Casey Kirschner and Memorandum in Support (Dkt. 200), which the Court granted on October 28, 2020 (Dkt. 202), states that “Mr. [Casey] Kirschner can be reached . . . by telephone at 612.865.9030.” On information and belief, Casey Kirschner is the individual who used the telephone number 612-865-9030 to send and receive WhatsApp messages to and from Kyle Ramstetter.

20. Attached hereto as **Exhibit 18** is a true and correct copy of an Amazon report documenting [REDACTED]

[REDACTED]

[REDACTED]. This report was [REDACTED]

[REDACTED]. This report has been designated Confidential and so has been filed under seal pursuant to the Protective Order.

I declare under penalty of perjury that the foregoing is true and correct to the best of my knowledge, information, and belief.

Executed on November 9, 2020.



Lora E. MacDonald